



The Keller Law Firm

July 13, 2020

FILED  
SCRANTON

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PER   
DEPUTY CLERK**Via E-mail to:**

Clerk of Court  
U.S. District Court  
Middle District of Pennsylvania  
228 Walnut Street  
P.O. Box 983  
Harrisburg, PA 17108

3:20 MC 325

Re: Request for DMCA Subpoena to Google, LLC. (YouTube)

Dear Clerk of the Court:

Petitioner Liberty Hangout LLC ("LHO"), through its undersigned counsel of record, hereby respectfully requests that the Clerk of this Court issue a Subpoena pursuant to 17 U.S.C. § 512(h) to service provider Google, LLC to identify alleged infringers of LHO's copyrighted material.

LHO is the owner of numerous copyrighted audiovisual works. In the course of protecting its works, LHO has determined that infringing copies of these works, posted at the direction of individual users and without authorization from LHO, appear on Google LLC's website "YouTube.com." Such infringements have been ongoing and LHO has issued DMCA notifications to Google LLC's DMCA Agent. All notifications have met the requirements of 17 U.S.C. § 512(c)(3)(A) by setting forth, inter alia, a representative list of the copyrighted works that have been infringed and the identification and location on Google LLC's website of the infringing material. LHO now seeks to obtain a DMCA Subpoena to learn the identity of the individuals who are posting the infringing content.

The DMCA Subpoena is directed to Google LLC, the service provider of YouTube accounts to which the infringing parties posted content at the URLs:

URL	Username
<a href="https://www.youtube.com/watch?v=PSN-IXXahFY">https://www.youtube.com/watch?v=PSN-IXXahFY</a>	Sam Collins
<a href="https://www.youtube.com/watch?v=FuHAIUSgamA">https://www.youtube.com/watch?v=FuHAIUSgamA</a>	Sam Collins
<a href="https://www.youtube.com/watch?v=zKW3tA0UwsU">https://www.youtube.com/watch?v=zKW3tA0UwsU</a>	Roly
<a href="https://www.youtube.com/watch?v=ox7g_AZnPKQ">https://www.youtube.com/watch?v=ox7g_AZnPKQ</a>	Jammidodger
<a href="https://www.youtube.com/watch?v=1S-x2PvyoJI">https://www.youtube.com/watch?v=1S-x2PvyoJI</a>	Kristina Maione
<a href="https://www.youtube.com/watch?v=qt--4XJ-7As">https://www.youtube.com/watch?v=qt--4XJ-7As</a>	ImAllexx

The Keller Law Firm, LLC

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<a href="https://www.youtube.com/watch?v=NKIHOLQawrk">https://www.youtube.com/watch?v=NKIHOLQawrk</a>	American Freedom World Peace
<a href="https://www.youtube.com/watch?v=ABDjs1QSAKs">https://www.youtube.com/watch?v=ABDjs1QSAKs</a>	The Young Turks
<a href="https://www.youtube.com/watch?v=YOeKGmQTpbM">https://www.youtube.com/watch?v=YOeKGmQTpbM</a>	Philip DeFranco

In order to fully comply with 17 U.S.C. 512(h) DMCA Subpoena requirements, the following items are submitted concurrently with this letter request:

- DMCA Subpoena (proposed); and
- Sworn Declaration of Justin Moldow, Director of LHO, confirming that the purpose of the DMCA Subpoena is to obtain the identity of the alleged infringers for the single purpose of protecting LHO's rights under Title 17 of the United States Code; and
- Copy of notification of claimed infringements sent to Google, LLC's DMCA Agent (attached as Exhibit A to the Declaration of LHO's Director, Justin Moldow).

With all conditions for issuance of the DMCA Subpoena having been met, LHO therefore petitions the Clerk to issue and sign, in accordance with 17 U.S.C. § 512(h)(4), the proposed DMCA Subpoena, and return it to the undersigned requester for delivery to the service provider, Cloudflare, Inc.

Regards,

*s/ Kelley C. Keller*

Kelley C. Keller, Esq..

KK:jt

Attachments:

- Proposed DMCA Subpoena
- Sworn Declaration
- Notification of Claimed Infringements  
(attached to Subpoena and Declaration)

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA  
AT HARRISBURG

In Re:

DMCA SUBPOENA TO GOOGLE, LLC

Service Provider.

Case No.:

DECLARATION IN SUPPORT OF  
REQUEST FOR DMCA SUBPOENA TO  
GOOGLE, LLC (YOUTUBE).

DECLARATION IN SUPPORT OF  
REQUEST FOR DMCA SUBPOENA  
TO GOOGLE LLC. - 1

**THE KELLER LAW FIRM, LLC**  
20 South 36<sup>th</sup> Street, Suite 203  
Camp, PA 17011  
(717) 386-5035

1 I, JUSTIN MOLDOW, hereby declare as follows:

2 1. I am a Director of Liberty Hangout LLC (hereinafter, "LHO") and am authorized  
3 to act on its behalf. I have personal knowledge of the facts contained herein and, if called upon to  
4 do so, could and would testify competently thereto.

5 2. I submit this declaration in support of LHO's request for issuance of a Subpoena  
6 by the Clerk of this Court, pursuant to the Digital Millennium Copyright Act ("DMCA"), 17  
7 U.S.C. § 512(h) to Google, LLC ("Google"), relating to the posting of LHO's copyrighted  
8 material on the domain YouTube.com webpages hosted or served by Google, LLC.

9 3. I have personal knowledge of the copyrights owned by LHO and the ongoing  
10 infringements of those copyrights that occur on the internet. I also have personal knowledge of  
11 the countless instances that LHO's copyrighted works have been posted without LHO  
12 authorization to youtube.com.

13 4. On May 12, 2020, authorized agent for LHO Jason Tucker issued and served a  
14 copyright infringement notification on Google, LLC's DMCA Agent relating to posts on  
15 youtube.com. Pursuant to Section 512(c)(3)(A), the notification was properly signed by LHO's  
16 agent, identified the copyrighted material being infringed, set forth a listing of the 9 URLs  
17 containing posts of infringing material, confirmed that such use of LHO's copyrighted works  
18 was not authorized by LHO, and gave contact information such that the DMCA Agent could  
19 reach LHO's Agent with questions. A true and correct copy of the May 12, 2020 notification is  
20 attached as Exhibit A.

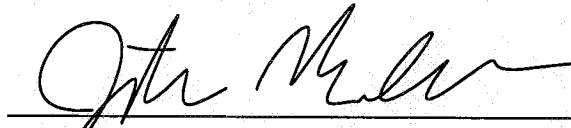
21 5. The purpose of the DMCA Subpoena is to obtain information sufficient to  
22 identify alleged infringers who, without authorization from LHO, posted material to the web  
23 page youtube.com, which infringed copyrights held by LHO. The information received as a  
24 result of the Subpoena will only be used by LHO to protect its rights under Title 17 of the United  
25 States Code.

26  
DECLARATION IN SUPPORT OF  
REQUEST FOR DMCA SUBPOENA  
TO GOOGLE LLC. - 2

THE KELLER LAW FIRM, LLC  
20 South 36<sup>th</sup> Street, Suite 203  
Camp, PA 17011  
(717) 386-5035

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.

3 DATED this 15 day of May 2020, at Munroe Falls, Ohio.

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7 JUSTIN MOLDOW  
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## **Exhibit A**

**Copy of Notification Issued Pursuant to  
17 U.S.C. § 512(c)(3) to  
Registered DMCA Agent for  
Service Provider Google, LLC (YouTube).**

**Jason Tucker**

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**From:** Jason Tucker [REDACTED] stance.com>  
**Sent:** Tuesday, May 12, 2020 11:25 AM  
**To:** copyright@youtube.com  
**Subject:** DMCA Takedown Notice for Copyright Infringement – Liberty Hangout LLC

Copyright Operations  
YouTube, LLC  
901 Cherry Ave  
San Bruno, CA 94066  
Phone: 650-214-3010  
Via Email: copyright@youtube.com

RE: DMCA Takedown Notice for Copyright Infringement – Liberty Hangout llc

Dear Copyright Agent,

I, Jason Tucker, hereby declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge and belief the foregoing is true and correct and I have the authority to act on behalf of the owner of the copyrights involved.

I have a good faith belief that the use of materials identified below is not authorized by the Owner and therefore infringes on its rights pursuant to Section 512 (c) of the U.S. Copyright Law. Pursuant to this notification, you should immediately take steps to locate and remove and/or disable access to the content that is on your system.

If you are a service provider, you may otherwise be liable for copyright infringement if, upon obtaining knowledge or awareness of infringing material being stored upon your network, you do not act expeditiously to remove, or disable access to, the material.

My contact information is as follows:

Liberty Hangout LLC  
c/o: Battleship Stance, Inc.  
Address: [REDACTED] Phoenix, AZ 85016 USA  
Email: [REDACTED] stance.com

Links to Infringing Material that I request be REMOVED:

1. Link: <https://www.youtube.com/watch?v=PSN-IXXahFY>  
Username: Sam Collins
2. Link: <https://www.youtube.com/watch?v=FuHAIUSgamA>  
Username: Sam Collins
3. Link: <https://www.youtube.com/watch?v=zKW3tA0UwsU>  
Username: Roly
4. Link: [https://www.youtube.com/watch?v=ox7g\\_AZnPKQ](https://www.youtube.com/watch?v=ox7g_AZnPKQ)  
Username: Jammidodger
5. Link: <https://www.youtube.com/watch?v=1S-x2PvyoJI>  
Username: Kristina Maione

6. Link: <https://www.youtube.com/watch?v=qt--4XJ-7As>  
Username: ImAllexx
7. Link: <https://www.youtube.com/watch?v=NKIHOLQawrk>  
Username: American Freedom World Peace
8. Link: <https://www.youtube.com/watch?v=ABDjs1QSAKs>  
Username: The Young Turks
9. Link: <https://www.youtube.com/watch?v=YOeKGmQTpbM>  
Username: Philip DeFranco

LOCATION OF ORIGINAL WORKS owned by and registered to Liberty Hangout LLC:

<a href="http://libertyhangout.org/videos/">http://libertyhangout.org/videos/</a>	
<a href="https://youtu.be/b8ibcE7TY_Q">https://youtu.be/b8ibcE7TY_Q</a>	US Copyright Registration: PA0002239152
<a href="https://youtu.be/f9IaOYdSU1M">https://youtu.be/f9IaOYdSU1M</a>	US Copyright Registration: PA0002239154
<a href="https://youtu.be/tO7tqRAt3gE">https://youtu.be/tO7tqRAt3gE</a>	US Copyright Registration: PA0002239148

This correspondence and all of its contents is without prejudice to Liberty Hangout LLC or any of their affiliated company's rights and remedies, all of which are expressly reserved.

Sincerely,

s/Jason Tucker

Jason Tucker  
Agent for Liberty Hangout LLC

Jason Tucker

SKYPE:

Twitter:

The email you have received from this company and individual and any file attachments(s) are confidential and intended solely for use by the identified recipient(s). If you received this message in error, please notify the sender and delete the message and any copies completely from your computer. Distribution or copying of this communication, in whole or in part, by any unauthorized recipient is prohibited and may subject you to liability. All rights reserved.